

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Date of Arrest: March 25, 2025

UNITED STATES OF AMERICA

Plaintiff,

vs.

Macario GONZALEZ

Defendant.

YOB:1970

(English Speaker)

)
) Magistrate's Case No. **25-01414MJ**
)
) COMPLAINT FOR VIOLATION OF
) 21 U.S.C. §§ 952, 960(a)(1) and
) 960(b)(1)(B) Importation of Cocaine
) Count One
)
) 21 U.S.C. §§ 841(a)(1) and
) (b)(1)(A)(ii) Possession with Intent
) to Distribute Cocaine
) Count Two
)

I, the undersigned complainant, being duly sworn, state that the following is true and correct to the best of my knowledge and belief:

COUNT ONE

On or about March 25, 2025, at or near San Luis, Arizona, within the District of Arizona, defendant, Macario GONZALEZ, did knowingly and intentionally import and attempt to import 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, into the United States from the Republic of Mexico, in violation of Title 21, United States Code, Sections 952, 960(a)(1) and (b)(1)(B)(felony).

COUNT TWO

On or about March 25, 2025, at or near San Luis, Arizona, within the District of Arizona, defendant, Macario GONZALEZ, did knowingly and intentionally possess with intent to distribute 5 kilograms or more of a mixture and substance containing a detectable amount of a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(ii)(felony).

And the complainant states that this complaint is based on the attached Statement of Probable Cause incorporated herein by reference.

Reviewed by: AUSA Vanessa Kubota

VK

Colin Cummings

Colin Cummings
Special Agent - Homeland Security
Investigations

Sworn to before me and subscribed telephonically, on this 26th day
of March, 2025, at Yuma, Arizona.

J F Metcalf

James F. Metcalf
United States Magistrate Judge

STATEMENT OF PROBABLE CAUSE

I, Colin Cummings, Special Agent of Homeland Security Investigations, being duly sworn, declare and state as follows:

INTRODUCTION AND BACKGROUND OF AFFIANT

1. Your Affiant, Colin Cummings, am a Special Agent (SA) with Homeland Security Investigations (HSI) assigned to the Yuma, Arizona, office. Your affiant has been a Special Agent for HSI since April 2023. Your affiant has attended and completed the Criminal Investigator Training Program (CITP) and Homeland Security Investigations Special Agent Training (HSI/SAT) at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia. Your Affiant has received specialized training and has experience in investigating violations of Titles 8, 18, 19, 21, and 31 of the United States Code to include violations related to narcotics smuggling. Prior to becoming a Special Agent for HSI Yuma, your affiant was a Patrol Officer with the Philadelphia Police Department beginning in 2014. During this time, your affiant was assigned to the 18th Police District Tactical Squad responsible for the proactive policing of violent criminal offenses and open-air narcotics sales.

2. In preparing this Affidavit, I conferred with other law enforcement officials, who share the opinions and conclusions stated herein. I have personal knowledge of the following facts or have learned them from other law enforcement officers. I also relied on my training, experience, and background in law enforcement to evaluate this information. Since this Affidavit is being submitted for the limited purpose of establishing probable cause for a complaint, I have not included each and every fact or source of information establishing the violation of federal law.

PROBABLE CAUSE

3. On March 25, 2025, at approximately 1329 hours, the defendant, Macario GONZALEZ, presented himself and his vehicle for inspection and entry into the United States via the vehicle primary lanes at the San Luis, Arizona, Port of Entry (POE). GONZALEZ was the driver, registered owner, and sole occupant of a blue 2007 Honda Civic bearing Arizona license plate 23A4TL.

4. While the Honda Civic was in the primary inspection lane, the Customs and Border Protection Officer (CBPO) received a computer-generated alert. The CBPO obtained a negative customs declaration from GONZALEZ. GONZALEZ was referred to the vehicle secondary lot for further inspection. While at the vehicle secondary lot, a CBPO obtained a second negative customs declaration from GONZALEZ and said that he was heading to the post office in San Luis, Arizona. CBPO asked who the owner of the vehicle was in which GONZALEZ replied that he was the owner and had the car for the past two or three years. GONZALEZ was escorted to the vehicle secondary waiting lobby by CBPO.

5. CBPOs utilized their assigned Xpose Contraband Detector (density reader) to check the vehicle's floor and observed an abnormal reading when checking the driver's side rocker panel, prompting CBPOs to inspect this area further. A CBPO removed the plastic covering the rocker panel and observed black tape. CBPO removed the black tape and noticed a cut out on the rocker panel. CBPO observed a package wrapped in cellophane. A CBP K9 alerted positive to the vehicle.

6. A total of seven (7) packages containing a white powdery substance weighing a total of 8.50 kilograms were extracted from the rocker panel. Agents performed a narcotics identification field test on a representative sample from two random packages; the test yielded positive for the characteristics of cocaine.

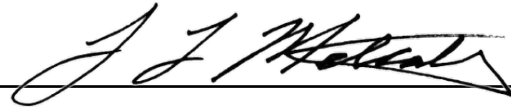
7. Agents conducted a post-Miranda interview of GONZALEZ at approximately 1721 hours. GONZALES speaks English fluently, so the interview was conducted in English. GONZALES said he understood his rights and agreed to speak with the agents without a lawyer present. Agents asked Gonzales where he lives in Arizona since at the port he presented an AZ driver's license with an address in Somerton, Arizona. GONZALES said he does not associate with that address (neither lives there nor gets mail there). Additionally, when asked about an emergency contact in the United States, he claimed none. He said his father is deceased, and his mother lives in Mexico. He claimed no siblings. He also said he is unemployed. He told agents he lives in San Luis Rio Colorado, Sonora, Mexico. GONZALEZ admitted to knowing that there were drugs in the vehicle and said that he knew it was cocaine, but claimed he did not know where they were concealed. "GONZALEZ stated that he agreed to cross narcotics three times to pay for his back surgery (\$3,000 USD), claiming this was just first attempt to cross the narcotics. GONZALEZ explained that he was directed to park at the Chase Bank in San Luis where an unknown person would meet him and lead him to another location to unload the narcotics. GONZALEZ then requested a lawyer.

8. Based on the foregoing, I submit there is probable cause to believe Macario GONZALEZ committed the offenses alleged in the Complaint.

Colin Cummings

Colin Cummings
Special Agent - Homeland Security
Investigations

Sworn to before me and subscribed telephonically, on this 26th day
of March, 2025, at Yuma, Arizona.

A handwritten signature in black ink, appearing to read "J F Metcalf", is written over a horizontal line.

HONORABLE JAMES F. METCALF
United States Magistrate Judge